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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/877,204	06/11/2001	Peter Bojanic	686P04US	9507

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SHAPIRO COHEN
P.O. BOX 3440
STATION D
OTTAWA, ON K1P6P1
CANADA

EXAMINER

CHAVIS, JOHN Q

ART UNIT	PAPER NUMBER
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2124

DATE MAILED: 06/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/877,204

Applicant(s)

BOJANIC ET AL.

Examiner

John Chavis

Art Unit

2124

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Ferris et al. (6,253,228).

CLAIMS:

Ferris et al.

1. A method of providing content to a user window in a client computer from a server computer, the method comprising:

See the title and the abstract.

a) initiating a request for content from the client computer;

See col. 6 lines 20-25, which indicates that an applet can be used to transmit data to a server.

b) creating a sync window at the client computer,

See again the abstract; the Applet Group Controller is considered to

	function as the sync window that is created and fig. 2 shows this feature on the client (browser) side.
said sync window being invisible to a user;	Col. 4 lines 54-56, indicates that the applet is "invisible" (hidden).
c) sending a sync request from said sync window to a loader module running on said server computer;	The Applet Group Controller "handles communication between the applets including synchronization, see col.3 lines 33-39, col. 4 lines 32-39, col. 10 lines 13-47 and col. 11 lines 5-12.
d) receiving said sync request at said loader module;	See figs. 2 and 7.
e) retrieving relevant requested data parameters from said sync request by said loader module;	See again fig. 7 and col. 11 lines 49-50.
f) retrieving requested data by a data manager module at said server computer;	See col. 12 lines 55-col. 13 line 10, the server function that assigns ID's provides for the data manager function. Also, see col. 14 lines 25-44.
g) converting requested data into a format acceptable to said sync window based on parameters retrieved in step e);	The Java language provides for the converting feature through its interpretations of bytecodes, see col. 6 lines 33-43.
h) transmitting converted requested data to said sync window at said client computer;	This feature is also provided by the Java language since the script is interpreted at runtime (for the specific system it is executed on via a virtual machine), see col. 9 lines 10-29.
i) receiving converted requested data at said sync window; and	See col. 10 lines 13-47 and col. 14 lines 34-36.
j) retrieving converted requested data from said sync window for presentation at said user window.	See col. 14 lines 50-57.
2. A method as in claim 1 wherein relevant	Synchronization requires both a

requested data parameters include at least one parameter chosen from a group comprising: acceptable data formats for said sync window; logical address of said client computer; identifying label for said sync window; address from which requested data is to be retrieved; and data rate at which retrieved data is to be sent to said sync window.

client and server address to ensure the appropriate systems are coordinated. Also, see col. 10 lines 27-66.

3. A method as in claim 1 further including the step of closing the sync window when said request for content has been satisfied.

This feature is considered inherent since it (sync window) is transparent to the user via the updates provided to conserve memory and to reflect the current state, col. 10 lines 13-47

4. A method as in claim 1 further including periodically reinitiating said request for content to refresh said content.

See again the cited portion for claim 3. Note especially the last sentence.

5. A method as in claim 1 wherein said format acceptable to said sync window is browser script format.

See the rejection of claim 1.

6. A method as in claim 1 wherein said content is text based.

See col. 10 lines 48-52.

7. A method as in claim 1 wherein said content is based on a format chosen from the following: video based; audio based; and rich media.

Ferris indicates that any type of applet can be provided and his calendar applet is considered to provide for the rich media form, col. 10 lines 48-66.

In reference to claims 8-10, see the rejection of claim 1 in view of Ferris's claim 15.


Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Chavis whose telephone number is (703) 305-9665. The examiner can normally be reached on 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (703) 305-9662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jqc
May 25, 2004


JOHN CHAVIS
PATENT EXAMINER
ART UNIT 2124